UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,784	04/09/2001	Richard L. Schwartz	073612.0105	1551

31625 7590 12/03/2004

BAKER BOTTS L.L.P.
PATENT DEPARTMENT
98 SAN JACINTO BLVD., SUITE 1500
AUSTIN, TX 78701-4039

EXAMINER	
BASOM, BLAINE T	
ART UNIT	**PAPER NUMBER**
2173	

DATE MAILED: 12/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/829,784	SCHWARTZ ET AL.	
	Examiner	Art Unit	
	Blaine Basom	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *22 June 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9,11-15,17-52,54-58 and 60-101* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9,11-15,17-52,54-58 and 60-101* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09 April 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *6/22/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

The Examiner acknowledges the Applicants' amendments to claims 1-3, 8, 11-15, 17, 18, 24, 26, 32, 34, 35, 38, 40, 42, 44-46, 51, 54-58, 60, 61, 67, 69, 75, 77-87, 91, 92, and 94-101. Regarding the independent claims of the present application, the Applicants argue that the references cited in the previous Office Action, mailed on 3/18/2004, fail to teach transmitting a selected follow-through action such that the selected follow-through action is used to update a mediation subscriber profile operable to manage subsequent incoming communications, as has been added to each of the independent claims. In response, the Examiner presents U.S. Patent No. 6,477,246 to Dolan et al., which teaches such a feature. The Applicant's arguments have thus been considered, but are moot in view of the following new grounds of rejection, which are necessitated by the Applicants' amendments.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 40, 83, and 96 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In each of these claims, there is no antecedent basis for "the options menu selections."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 11-12, 14-15, 17, 26, 28, 34, 42, 44, 54-55, 57-58, 60, 69, 71, 77, 85, 87, 98, and 100 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,327,486, which is attributed to Wolff et al. (hereafter referred to as "Wolff"), and also over U.S. Patent No. 6,477,246, which is attributed to Dolan et al. (hereafter referred to as "Dolan"). In general, Wolff presents a system that automates telephone receptionist functionality, specifically by providing the means to make and receive calls on behalf of a called party, and the means to intelligently screen and route incoming calls (for example, see column 1, line 63 – line 2, line 26). Wolff is consequently considered to teach a method for mediated virtual communication.

Specifically regarding claim 1, Wolff discloses that, in response to receiving an incoming call, mediation information is displayed on a display portion of a mediation subscriber's communication device, namely on a "palm-top computer" (see column 3, line 33 – column 4, line 43). A contextual communication summary, specifically the name and number of the caller, is particularly received from a mediation system and displayed on the palm-top computer, along with a plurality of follow through actions regarding the incoming call (see figure 4, in addition to column 44, lines 33-43). In response the user may designate, via a data interface portion of the

palm-top computer, selected media information, specifically one of the displayed follow-through actions (for example, see column 4, line 43 – column 5, line 23). Wolff discloses that this input is then transmitted from the palm-top computer for reception by the mediation system (see column 5, lines 7-23). Consequently, like recited in claim 1, Wolff is understood to teach facilitating display and designation of mediation information, whereby the designated mediation information, namely a follow-thorough action, is transmitted to a mediation system. Wolff, however, does not explicitly disclose that the selected follow through action is used to update a mediation subscriber profile operable to manage subsequent incoming communications, as is expressed in claim 1.

Like Wolff, Dolan presents a system for intelligently screening and routing incoming calls (for example, see column 1, lines 43-55 of Dolan). Such a system particularly involves displaying a contextual communication summary of the incoming call, namely an identification of the caller, and also displaying a plurality of possible follow-through actions regarding the call (for example, see column 3, lines 12-29; and column 7, line 43 – column 6, line 7). Regarding the claimed invention, Dolan discloses that the user may select one of these follow-through actions, wherein response, the selected follow-through action is transmitted to a mediation system such that the follow-through action is used to update a mediation subscriber profile operable to manage subsequent incoming communications (see column 6, lines 20-50).

It would have been obvious to one of ordinary skill in the art, having the teachings of Wolff and Dolan before him at the time the invention was made, to modify the method taught by Wolff such that the selected follow-through actions are used to update a subscriber profile operable to manage incoming communications, as is done by Dolan. It would have been

advantageous to one of ordinary skill to utilize this combination because such a subscriber profile, dynamically adapted to the user and used to manage subsequent calls, is more useful to the user, as is taught by Dolan.

In reference to claims 44 and 100, Wolff discloses that the above method may be implemented via a computer program and an apparatus from which the computer program is accessible by a data processor (for example, see column 3, lines 33-44). Consequently, such a computer program implementing the above-described method of Wolff and Dolan is considered a "computer program product," like that recited in claim 44. Similarly, an apparatus implementing the above-described method is considered a "system" like that recited in claim 100.

As per claims 11-12, 14-15, 17, 54-55, 57-58, and 60, Wolff discloses that the user's network computer may receive and display data including a contextual communication summary, which identifies the calling party, and also a plurality of follow-through actions, each selectable by the user to perform a specific function in response to the call, as is described above. One such follow-through action transfers the caller to voice mail, or in other words, indicates that a message will be taken (see column 4, line 43 – column 5, line 24). Specifically regarding claims 12 and 14, another follow-through action described by Wolff is selectable to send a text message indicating that the user would like to schedule a return call, specifically expressing that the user will call the calling party back in a designated number of minutes (see column 4, line 43 – column 5, line 24; and column 6, lines 37-45). Lastly, Wolff discloses that another follow-through action enables the incoming call to be transferred to the user's current location or to a different person (see column 4, line 43 – column 5, line 24). The user manipulates a data

interface portion of the user's network computer in order to select one of the follow-through actions (see column 4, line 43 – column 5, line 24). In response, data indicating the selected follow-through action is transmitted from the user's network computer for reception by a mediation system (see column 4, line 43 – column 5, line 24).

Specifically regarding claims 26, 28, 69, and 71, the above-described follow-through actions taught by Wolff are understood to be displayed via a menu (for example, see figure 4). The above-described combination of Wolff and Dolan thus teaches receiving, at the mediation subscriber communication device from a mediation system, data including a mediation information menu, whereby this menu is displayed to the user, and whereby this menu specifically comprises various follow-through actions. Consequently, such a menu is considered a "follow-through" action menu, like that recited in claims 28 and 71.

Claim 34 is directed to a method with similar features to claims 1 and 17, combined. Claim 34 is therefore believed to be anticipated by the above-described combination of Wolff and Dolan, particularly for the reasons presented above in the rejections for claims 1 and 17.

In reference to claims 77 and 87, Wolff discloses that the above method may be implemented via a computer program and an apparatus from which the computer program is accessible by a data processor (for example, see column 3, lines 33-44). Consequently, such a computer program implementing the above-described method of Wolff and Dolan, particularly that of claim 34, is considered a "computer program product," like that recited in claim 77. Similarly, an apparatus implementing the above-described method is considered a "system" like that recited in claim 87.

As per claim 42, 85, and 98, the above-described follow-through actions taught by Wolff are understood to be displayed via a menu (for example, see figure 4). Such a menu is considered a "mediation information menu," like that recited in claims 42, 85, and 98. The above-described combination of Wolff and Dolan thus teaches receiving, at the mediation subscriber communication device from a mediation system, data including a mediation information menu, whereby this menu is displayed to the user.

Claims 2-9, 18, 24-25, 27, 29, 32-33, 35-36, 38, 40-41, 45-52, 61, 67-68, 70, 72, 75, 76, 78-79, 81, 83-84, 88, 90-92, 94, 97-97, and 101 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Wolff and Dolan, as is described above, and also over U.S. Patent No. 6,373,817, which is attributed to Kung et al. (and hereafter referred to as "Kung"). Specifically regarding claims 2-9, 35-36, and 45-52, Wolff and Dolan present a method like that recited in each of claims 1 and 34, and a computer program product like that described in claims 44 and 77, which as described above, entail displaying mediation information, including a contextual communication summary and a plurality of possible follow-through actions, on a display portion of a mediation subscriber's communication device. Wolff and Dolan additionally teach that incoming calls may be routed to the user according to his or her location (for example, see column 2, lines 3-14 of Wolff; and column 4, lines 46-58 of Dolan). Wolf and Dolan, however, do not explicitly teach that the mediation information received and displayed on the subscriber's communication device comprises an "availability selector," as is expressed in each of claims 2-9, 35-36, 45-52, and 78-79.

Like Wolff and Dolan, Kung presents a system for intelligently screening and routing calls to a mediation subscriber according to his or her location (for example, see column 2, lines 15-53 of Kung). Kung teaches that mediation information, such as the subscriber's schedule and associated contact information, may be displayed on a visual display portion of the mediation subscriber's communication device, specifically a network computer (for example, see column 34, lines 11-57; and column 36, lines 36-60). The subscriber may designate, via the data interface portion of the mediation subscriber's communication device, selected mediation information, for example, in order to modify the subscriber's schedule and associated contact information (see column 34, lines 11-57). It is understood that this selected mediation information is transmitted from the mediation subscriber's communication device to a mediation system, such that calls are transferred to the subscriber according to the subscriber's schedule and contact information (for example, see column 34, lines 20-57). Specifically regarding claims 2-9, Kung discloses that the mediation information displayed by the mediation subscriber's communication device may comprise a schedule of the subscriber's locations during particular periods of the day or week, and information for contacting the subscriber at each specific location (see column 34, lines 20-57). The subscriber may modify this schedule and contact information in order to modify how the subscriber is accessed by a calling party (see column 34, line 20 – column 36, line 4). Consequently, this schedule and associated contact information is considered an "availability selector," like that recited in claims 2, 35, 45, and 78, as it designates the subscriber's availability. Specifically regarding claims 3 and 46, the subscriber's schedule and contact information, an example of which is shown in figure 7(a), may be displayed on the screen of the subscriber's computer terminal (see column 36, lines 36-60). This schedule may

indicate the subscriber's presence associated with a meeting, may indicate the subscriber's presence associated with a designated time of day, may indicate the subscriber's presence associated with a day, and may comprise information regarding the priority of a calling party's communication request (see column 34, line 20 – column 36, line 4). The subscriber manipulates a data interface portion of the mediation subscriber's communication device in order to designate his or her availability status during particular portions of the schedule (for example, see column 34, lines 20-40). Lastly, it is understood that this availability status information is transmitted from the mediation subscriber's communication device to a mediation system, such that calls are transferred to the user according to the user's availability status information (for example, see column 34, lines 20-57).

It would have been obvious to one of ordinary skill in the art, having the teachings of Wolff, Dolan, and Kung before him at the time the invention was made, to modify the method taught by Wolff and Dolan, such that mediation information displayed by the mediation subscriber's communication device also comprises an availability selector, as is done by Kung. It would have been advantageous to one of ordinary skill to utilize this combination, because such an availability selector, comprising an adjustable schedule and associated contact information of the user, allows the system to quickly and efficiently ascertain the user's location and contact information when an incoming call occurs, and allows the user to quickly and efficiently adjust such a schedule and contact information, as is demonstrated by Kung.

Regarding claims 18, 24, 25, 38, 40-41, 61, 67-68, 81, 83-84, 94, and 96-97, the above-described combination of Wolff, Dolan, and Kung teaches a method like that of claims 1 and 34, and a computer program product like that of claims 44 and 77, and a system like that of claim 87,

which involve displaying mediation information on a display portion of a mediation subscriber's communication device, as is shown above. Kung specifically teaches that such mediation information includes the subscriber's schedule, according to which telephone calls and the like are transferred to the subscriber, as is further shown above. Particularly, this schedule and various options associated therewith may be accessed via a menu (see column 36, lines 36-60 of Kung). Consequently, Kung is considered to teach receiving, at the mediation subscriber's computer terminal, i.e. communication device, data including a plurality of options menu selections, whereby these options menu selections are displayed. It is understood that the subscriber manipulates a data interface portion of the mediation subscriber's communication device in order to select one of the options menu selections (see column 34, lines 20-40; and column 36, lines 36-60). In response, the selected option is transmitted from the mediation subscriber's communication device to a mediation system, thus resulting in access to information related to the selected option, such as the subscribers schedule (for example, see column 36, lines 36-60).

Regarding claims 27, 29, 32, 33, 70, 72, 75, and 76 the above-described combination of Wolff and Dolan teaches a method like that of claim 26, and a program product like that of claim 69, which entail displaying mediation information on a display portion of a mediation subscriber's communication device, as is shown above. Kung further teaches that such mediation information may include the subscriber's schedule, according to which telephone calls and the like are transferred to the subscriber. Particularly, this schedule and various options associated therewith may be accessed via a menu (see column 36, lines 36-60). Consequently, Wolff, Dolan, and Kung are considered to teach receiving and displaying, at the mediation

subscriber's communication device, data including a mediation information menu. Such a menu may particularly be used to access the subscriber's schedule, which as described above is used to modify the subscriber's availability status. Consequently, such a menu is considered an "availability status menu," like that expressed in claims 27 and 70. Additionally, this menu may comprise various options, as is shown above in the rejection for claim 18. This menu is therefore also considered an "options menu," like that recited in claims 29 and 72. It is understood that the subscriber manipulates a data interface portion, of the mediation subscriber's communication device in order to select one of the menu selections (see column 34, lines 20-40; and column 36, lines 36-60). In response, the selection is transmitted from the mediation subscriber's communication device to a mediation system, thus resulting in access to information related to the selection, such as the subscribers schedule (for example, see column 36, lines 36-60).

Regarding claims 88, 90-92, 94, and 101, Kung discloses that the mediation subscriber's communication device, which facilitates display, designation, and transmission of mediation information, may be a web-equipped terminal capable of accessing and displaying a web page from the mediation system. It is understood that such a web-equipped terminal may be a wireless telephone, such as a cell phone, which is capable of accessing and displaying web information, as is known in the art (see column 4, lines 23-60, and column 19, line 27 – column 20, line 31 of Kung). It is further understood that such a web-equipped terminal may be a telephone capable of interacting with a voice response system (see column 36, lines 36-60). Regarding claim 90, Kung further discloses that the above-described system comprises a data packet server, which is included within the mediation system (for example, see column 5, line 65 – column 6, line 43) and a data packet client, specifically the subscriber's communication device,

which accesses and displays web pages from the server (for example, see column 36, lines 36-60). Claims 91 and 92 are further believed to be anticipated by the above-described combination of Wolff, Dolan, and Kung, due to the additional reasons presented by the rejections for claims 2-7 above. Also, because of the reasons shown above in the rejection for claim 18, claim 94 additionally is believed to be anticipated by Wolff, Dolan, and Kung.

Claims 13, 37, 56, 80, and 93 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Wolff and Dolan, which is described above, and also over U.S. Patent No. 5,758,280, which is attributed to Kimura. As shown above, the combination of Wolff and Dolan teaches a method like that of claims 1 and 34, a program product like that of claims 44 and 77, and a system like that of claim 87, whereby a plurality of follow-through actions are received and displayed by a mediation subscriber's communication device, specifically a network computer. Such follow through actions may be for indicating that a message will be taken, indicating that the subscriber will initiate a return call in a designated number of minutes, indicating that the subscriber would like to schedule a return call, and for enabling an incoming call to be transferred, as is shown above in the rejections for claims 11-12 and 14-15, for example. This combination of Wolff and Dolan, however, does not explicitly disclose a follow-through action for indicating that the mediation subscriber will initiate a return call when the mediation subscriber is next available, as is recited in claims 13, 37, 56, 80, and 93.

Like the above-described combination of Wolff and Dolan, Kimura presents a system whereby a called party is provided with information, displayed on a network computer, which identifies the calling party (see column 1, lines 50-67 of Kimura). The called party is then

provided with a plurality of options, each selectable to perform a function in response to the call (see column 1, line 50-67). Specifically regarding the claimed invention, one such option is selectable in order to send a text message to the calling party, the text message indicating that the user will call the calling party back, or in other words, initiate a return call when he or she is next available (see figure 3 and its associated description in column 3, lines 10-26).

Consequently, it would have been obvious to one of ordinary skill in the art, having the teachings of Wolff, Dolan, and Kimura before him at the time the invention was made, to modify the plurality of follow-through actions taught by Wolf and Dolan to include the follow-through action taught by Kimura, which results in the transmission of a text message indicating that the user will call the calling party back. It would have been advantageous to one of ordinary skill to utilize this combination, because such a text message is useful in certain circumstances, particularly when the user does not know an exact number of minutes to specify that the calling party should call back, as is demonstrated by Kimura.

Claims 19-23, 30-31, 39, 43, 62-66, 73-74, 82, 86, 89, 95, and 99 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Wolff, Dolan, and Kung, which is described above, and also over U.S. Patent No. 5,933,778, which is attributed to Buhrmann et al. (and hereafter referred to as "Buhrmann"). As per claims 19-23, 39, 62-66, 82, and 95, Wolff, Dolan, and Kung teach a method like that of claims 18 and 38, a program product like that of claims 61 and 81, and a system like that of claim 94, which involve receiving a plurality of options menu selections, and whereby as described above, these options menu selections are displayed via a display portion of the mediation subscriber's communication device. Kung

specifically teaches that such menu selections are used to access and maintain the subscriber's schedule, according to which telephone calls and the like are transferred to the subscriber (for example, see column 36, lines 36-60). Neither Kung, Wolff, nor Dolan, however, explicitly disclose that the options menu selections comprise a selection for enabling a call to be made, a selection for enabling a service reservation to be made, a selection for enabling an availability to be altered, a selection for enabling a policy to be altered, and a selection for enabling a service preference to be altered, as is expressed in claims 19-23, 39, 62-66, 82, and 95.

Like Wolff, Dolan, and Kung, Buhrmann describes telecommunications systems which enable the user to be reached by telephone, no matter where the user is located, and in accordance with the user's schedule (see column 3, line 49 – column 4, line 17). Regarding the claimed invention, Buhrmann teaches presenting various options corresponding to the user's schedule. For example, Buhrmann teaches that a "call completion request" may be selected by the user, whereby such a request provides a service which enables calls to be forwarded during a particular period in the user's schedule (see column 7, line 31 – column 8, line 19). Buhrmann therefore teaches providing an option for enabling a service reservation to be made, one such service reservation, call forwarding, further enabling a call to be made. By the same reasoning, Buhrmann teaches providing an option enabling a service preference to be altered. Additionally, Buhrmann discloses that the user has the option of modifying his or her schedule, thus altering his or her availability (for example, see column 7, lines 31-60). Lastly, Buhrmann discloses that the user may be presented with the option of overriding a particular policy, such as for example, that during a scheduled meeting, all calls to the user are to be forwarded to voice mail (see column 8, line 59 – column 9, line 18).

Consequently, it would have been obvious to one of ordinary skill in the art, having the teachings of Wolff, Dolan, Kung and Buhrmann before him at the time the invention was made, to modify the menu taught by Wolff, Dolan, and Kung, such that it provides a selection for enabling a call to be made, a selection for enabling a service reservation to be made, a selection for enabling an availability to be altered, a selection for enabling a policy to be altered, and a selection for enabling a service preference to be altered, as is taught by Buhrmann. It would have been advantageous to one of ordinary skill to utilize this combination because such options provide the user with more control over how he or she is reached, as is demonstrated by Buhrmann.

Specifically regarding claims 30, 31, 73, and 74, the above-described options taught by Buhrmann are displayed via a menu. As described above, such options include options for enabling a service reservation to be made, and options for arranging the user's schedule. Consequently, this menu is considered a "services menu," like that recited in claims 30 and 73, and also, an "arrangement options menu," like that expressed in claims 31 and 74.

Regarding claims 43, 86, and 99, Kung teaches selecting mediation information from an availability status menu and from an options menu, as is described above in the rejections for claims 2 and 18, for example. Wolff and Dolan further teach selecting mediation information from a follow-through actions menu, as is described above in the rejection for claim 1, and Buhrmann teaches selecting mediation information from a services menu and an arrangement options menu. Consequently, the above-described combination of Wolff, Dolan, Kung, and Buhrmann is considered to teach a method, product, and system, like that recited in claims 43, 86, and 99, respectively.

Specifically regarding claim 89, the combination of Wolff, Dolan, and Kung, as described above in the rejections for claims 87 and 88, teaches a system for facilitating mediated virtual communication, comprising a mediation subscriber communication device, such as a wireless phone, which is capable of facilitating display, designation, and transmission of mediation information. Kung further discloses that this communication device may be connected to the mediation system via a data packet network (for example see column 4, lines 1-22). However, neither Kung, Wolff, nor Dolan explicitly teach that this data packet network includes a general packet radio service, wherein the wireless telephone is capable of communicating via a general packet radio system, as is recited in claim 89. As shown above, Buhrmann similarly presents a system whereby a user is provided with mediation information, displayed on a network device, which identifies such information as the user's schedule. Calls are then forwarded to the user, based on this schedule, as is further shown above. Regarding the claimed invention, Buhrmann discloses that the network device may be a wireless telephone connected to a data packet network comprising a general packet radio service, whereby it is understood that the wireless telephone is capable of communicating via a general packet radio system (see column 5, lines 18-51; and column 12, lines 34-54). Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Kung, Wolff, Dolan, and Buhrmann before him at the time the invention was made, to modify the wireless phone taught by Kung, Dolan, and Wolff such that it capable of communicating via a general packet radio system, which as taught by Buhrmann, is included within the data packet network. It would have been advantageous to one of ordinary skill to utilize such a combination, because a data packet

radio system is a standard communication medium for a wireless telephone, as is demonstrated by Buhrmann.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blaine Basom whose telephone number is (571) 272-4044. The examiner can normally be reached on Monday through Friday, from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

btb

JOHN CABECA
SUPERVISORY PATENT EXAMINE
TECHNOLOGY CENTER 210